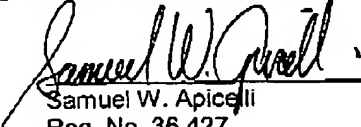


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Date

February 14, 2005
Samuel W. Apicelli
Reg. No. 36,427**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 10/823,902
Applicant : Gardner, Jr. et al.
Filed : Herewith
Title : METHOD FOR DETECTION OF PATHOGENIC
MICROORGANISMS
TC/A.U. : 2877
Examiner : Evans, Fannie L.

Docket No. : E2079-00006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

TRANSMITTAL LETTER

Please find enclosed for filing:

- ☒ Amendment.
☒ Terminal Disclaimer
☒ Transmittal letter submitted in duplicate. Please charge the Terminal Disclaimer fees, namely, \$65.00, and any additional fees in connection with this matter to Deposit Account No. 04-1679.
☒ Certificate of Facsimile

Date:

2/14/05

Respectfully Submitted,


Samuel W. Apicelli

Registration No. 36,427

Customer No. 08933

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Date: February 14, 2005

Samuel W. Apicella
Samuel W. Apicella
Reg. No. 36,427

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Alexandria, VA 22313-1450

AMENDMENT

Sir:

In response to the Office Action dated November 18, 2004, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 11 of this paper.

A Terminal Disclaimer To Obviate A Double Patenting Rejection Over A Prior Patent is attached to this response.